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 26 ALTA BATES SUMMIT MEDICAL CENTER

27 UNITED STATES DISTRICT COURT

28 NORTHERN DISTRICT OF CALIFORNIA

29 COYNES L. ENNIX, JR., M.D.

30 Case No.: C 07-2486 WHA (JCS)

31 Plaintiff,

32 v.

33 ALTA BATES SUMMIT MEDICAL CENTER,

34 Defendants.

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO ENLARGE
 TIME FOR DISCLOSURE OF EXPERT
 REPORTS OF 1) CARDIAC SURGEON
 EXPERTS AND 2) STATISTICIAN
 EXPERTS**

35 Date: None
 36 Time: None
 37 Dept: Ctrm. 9, 19TH Floor

38 Trial Date: June 2, 2008
 39 Judge: Hon. William H. Alsup

1 IT IS HEREBY STIPULATED between Plaintiff Coyness L. Ennix, Jr., M.D. by and
 2 through his attorneys of record, Moscone, Emblidge & Quadra, LLP and Defendant Alta Bates
 3 Summit Medical Center and through their counsel of record, Kauff, McClain & McGuire, LLP
 4 that the last day for disclosure of full expert reports under FRCP 26(a)(2) ("opening reports") as
 5 to cardiac surgeon and statistics experts by either party shall be enlarged from January 25, 2008,
 6 to February 8, 2008.

7 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
 8 the day the other parties may disclose responsive expert testimony with full expert reports
 9 responsive to opening reports ("opposition reports") shall be enlarged from February 8, 2008, to
 10 February 22, 2008.

11 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
 12 the day the opening parties may disclose any reply reports as described in ¶6 of the Case
 13 Management Order filed in this matter on August 16, 2007 be enlarged from February 15, 2008,
 14 to February 29, 2008.

15 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
 16 the cutoff for expert discovery shall be enlarged from February 29, 2008, to March 7, 2008.

17 IT IS FURTHER STIPULATED as to the expert reports subject to this stipulation, that
 18 the deadline to file any Motion to Compel expert discovery be enlarged from March 7, 2008, to
 19 March 14, 2008.

20 Defendant's position is that this extension is not necessary. Defendant specifically denies
 21 Plaintiff's characterization of the discovery dispute and the Court's January 15, 2008, Order
 22 Granting in Part and Denying in Part Motion to Compel Medical Peer Review Information.
 23 Defendant, however, is willing to cooperate in good faith with Plaintiff's efforts to obtain an
 24 extension, as described herein, provided that any enlargement of time applies to Plaintiff's and to
 25 Defendant's expert reporting obligations on fairness grounds.

26 Plaintiff's position is that the stipulation is supported by good cause as described in the
 27 accompanying declaration of Andrew E. Sweet.

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2 IT IS SO STIPULATED:

3

4 DATED: January 17, 2008 Moscone, Emblidge & Quadra, LLP

5

6 By _____ /s/
7 Andrew E. Sweet
8 Attorneys for Plaintiff
COYNES L. ENNIX, JR., M.D.

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10 DATED: January 17, 2008 Kauff, McClain & McGuire, LLP

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12 By _____ /s/
13 Matthew Vandall
14 Attorneys for Defendant, ALTA
BATES SUMMIT MEDICAL
CENTER

15 PURSUANT TO STIPULATION, IT IS SO ORDERED:

16 DATED: January 25, 2008

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18 The deadline for dispositive motions
19 shall not change.

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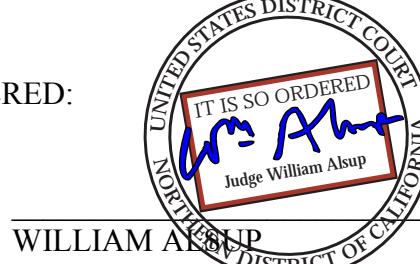
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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE